

FITZGERALD & ASSOCIATES, P.C.

NICHOLAS FITZGERALD
*Admitted in NJ and NY

MARGUERITE MOUNIER-WELLS
*Admitted in NJ & NY

JAMES J. FITZPATRICK
*Admitted in NJ

NICHOLAS FITZGERALD
ATTORNEY AT LAW
649 Newark Avenue
JERSEY CITY, NJ 07306

TELEPHONE (201) 533-1100
FAX (201) 533-1111

NEW YORK OFFICE

521 5TH AVENUE, SUITE 3010
NEW YORK, NY 10175
(800) 828-7763

WEST ORANGE OFFICE

6 MAIN STREET
WEST ORANGE, NJ 07052
(862) 766-5270

October 26, 2020

Hon. Vincent F. Papalia, Judge
United States Bankruptcy Court
King Federal Building
50 Walnut Street 3rd Floor, Courtroom 3-B
Newark, NJ 07102

Subj: *** In re Emanuel H. Neto & Catherine V. Padinha-Neto,
Chapter 13 Case No. 19-11380-VFP -- Date Case Filed: Jan. 22,
2019

Dear Judge Papalia:

On August 13, 2020 we submitted a fee application in the above entitled matter. See Pacer docket entry number 58.

No opposition was filed to our fee application.

I made a math error in regards to the proposed order in reference to our fee application. To correct that error, on August 17, 2020 I submitted a revised proposed fee order in regards to our fee application. See Pacer docket entry number 60. Also see attached exhibit.

Since there was no opposition to our fee application, would it be possible for you to enter the order?

Respectfully submitted,


Nicholas Fitzgerald

NF/nt

cc: File
Chapter 13 Trustee via email jpetrolino@magtrustee.com
email is: chambers_of_vfp@njb.uscourts.gov

Fitzgerald & Associates, P.C.
Nicholas Fitzgerald Esq. -- NF/6129
649 Newark Avenue
Jersey City, NJ 07306-2303
(201) 533-1100
Email: nickfitz.law@gmail.com
Attorney for Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY -- NEWARK

-----X

Case # 19-11380-VFP

In re:

Hon: Vincent F. Papalia

Emanuel H. Neto

&

Catherine V. Padinha-Neto

Debtors

-----X

ATTORNEY'S CERTIFICATION REGARDING REVISED ORDER

I, Nicholas Fitzgerald, the above named debtors' counsel, hereby certifies as follows:

1. I make this certification to explain the attached revised proposed order.

2. I made an error regards to my originally proposed order that I stated that the debtors' payments would go up to \$1,519.65 for the final 40 months of the debtors' payment plan whereas the number should have been \$1,348.00 for the final 40 months.

3. Annexed hereto as an exhibit is my corrected proposed order.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: July 30, 2020


Nicholas Fitzgerald
Debtors' Counsel

Exhibit: Corrected Proposed Order

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Fitzgerald & Associates, P.C.

By: Nicholas Fitzgerald
649 Newark Avenue
Jersey City, NJ 07306
(201) 533-1100
nickfitz.law@gmail.com
Counsel for Debtors

In Re:

Emanuel H. NHeto & Catherine V. Padinha-Neto
Debtors

Case No.: 19-11380-VFP

Chapter: 13

Judge: V. F. Papalia

ORDER GRANTING SUPPLEMENTAL CHAPTER 13 FEES

The relief set forth on the following page is **ORDERED**.

The applicant having certified that legal work supplemental to basic chapter 13 services has been rendered, and no objections having been raised, it is:

ORDERED that Nicholas Fitzgeald of Fitzgerald & Assoc. P.C., the applicant, is allowed a fee of \$ 1,381.50 for services rendered and expenses in the amount of \$ Zero for a total of \$ 1,381.50. The allowance is payable:

- through the Chapter 13 plan as an administrative priority.
- outside the plan.

The debtor's monthly plan is modified to require a payment of \$ 1,348.00 per month for final 40 months to allow for payment of the above fee.

		Proposed Order # 5 Certificate of Service) filed by Creditor SPECIALIZED LOAN SERVICING, LLC) filed by Nicholas Fitzgerald on behalf of Emanuel H. Neto, Catherine V. Padinha-Neto. (Fitzgerald, Nicholas) (Entered: 06/05/2020)
		Neto P+ec 00-1380-VFP 19-1380-VFP
06/16/2020	<u>55</u> (1 pg)	Status Change Form. The matter has been settled, re:(related document:53 Motion for Relief From Stay filed by Creditor SPECIALIZED LOAN SERVICING, LLC, Motion for Relief from Co-Debtor Stay) filed by Denise E. Carlon on behalf of SPECIALIZED LOAN SERVICING, LLC. (Carlon, Denise) (Entered: 06/16/2020)
06/18/2020		Minute of Hearing Held, OUTCOME: Order to be Submitted (related document(s): <u>53</u> Motion for Relief From Stay filed by SPECIALIZED LOAN SERVICING, LLC) (mcp) (Entered: 06/22/2020)
07/02/2020	<u>56</u> (2 pgs)	Order Resolving Motion For Relief From Stay re: 367 Nottingham Way, Union NJ 07083 (Related Doc # <u>53</u>). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 7/2/2020. (jf) (Entered: 07/02/2020)
07/04/2020	<u>57</u> (3 pgs)	BNC Certificate of Notice - Order No. of Notices: 2. Notice Date 07/04/2020. (Admin.) (Entered: 07/05/2020)
08/13/2020	<u>58</u> (20 pgs; 6 docs)	Application for Compensation for Nicholas Fitzgerald, Debtor's Attorney, period: 2/10/2020 to 8/13/2020, fee: \$1381.50, expenses: \$0.00. Filed by Nicholas Fitzgerald. Hearing scheduled for 9/17/2020 at 02:00 PM at VFP - Courtroom 3B, Newark. (Attachments: # <u>1</u> Attorney's Certification in Support # <u>2</u> Exhibit A # <u>3</u> Certification of Service # <u>4</u> Proposed Order) (Fitzgerald, Nicholas) (Entered: 08/13/2020)
08/16/2020	<u>59</u> (5 pgs)	BNC Certificate of Notice - Hearing on Application for Compensation. No. of Notices: 28. Notice Date 08/16/2020. (Admin.) (Entered: 08/17/2020)
08/17/2020	<u>60</u> (4 pgs; 2 docs)	Document re: Attorney's Certification regarding Revised Order (related document:58 Application for Compensation filed by Debtor Emanuel H. Neto, Joint Debtor Catherine V. Padinha-Neto) filed by Nicholas Fitzgerald on behalf of Emanuel H. Neto, Catherine V. Padinha-Neto. (Attachments: # <u>1</u> Exhibit - Proposed Order) (Fitzgerald, Nicholas) (Entered: 08/17/2020)
08/28/2020	<u>61</u> (2 pgs)	Notice of Appearance and Request for Service of Notice filed by John R. Morton Jr. on behalf of Ally Financial. (Morton, John) (Entered: 08/28/2020)
09/04/2020	<u>62</u> (16 pgs; 5 docs)	Motion for Relief from Stay re: 2014 Mitsubishi Lancer Evolution. Fee Amount \$ 181. Filed by John R. Morton Jr. on behalf of Ally Financial. Hearing scheduled for 10/1/2020 at 10:00 AM at VFP - Courtroom 3B, Newark. (Attachments: # <u>1</u> Proposed Order # <u>2</u> Certification # <u>3</u> Certificate of Service # <u>4</u> Statement as to Why No Brief is Necessary) (Morton, John) (Entered: 09/04/2020)
09/04/2020		Receipt of filing fee for Motion for Relief From Stay(19-11380-VFP) [motion,mrlfsty] (181.00) Filing Fee. Receipt number A41455991, fee amount \$ 181.00. (re: Doc# <u>62</u>) (U.S. Treasury) (Entered: 09/04/2020)
09/14/2020	<u>63</u>	Certification in Opposition to (related document:62 Motion for Relief

	(2 pgs)	from Stay re: 2014 Mitsubishi Lancer Evolution. Fee Amount \$ 181. Filed by John R. Morton Jr. on behalf of Ally Financial. Hearing scheduled for 10/1/2020 at 10:00 AM at VFP - Courtroom 3B, Newark. (Attachments: # 1 Proposed Order # 2 Certification # 3 Certificate of Service # 4 Statement as to Why No Brief is Necessary) filed by Creditor Ally Financial) filed by Nicholas Fitzgerald on behalf of Emanuel H. Neto, Catherine V. Padinha-Neto. (Fitzgerald, Nicholas) (Entered: 09/14/2020)
09/17/2020		Minute of Hearing Held, OUTCOME: Revised Proposed Order Submitted (related document(s): <u>58</u> Application for Compensation filed by Nicholas Fitzgerald, Emanuel H. Neto, Catherine V. Padinha-Neto) (mcp) (Entered: 09/18/2020)
10/01/2020		Minute of Hearing Held, OUTCOME: Order to be Submitted (related document(s): <u>62</u> Motion for Relief From Stay filed by Ally Financial) (mcp) (Entered: 10/02/2020)
10/23/2020	<u>64</u> (2 pgs)	Order for monthly payments and Stay Relief under certain circumstances re: 2014 Mitsubishi Lancer Evolution (Related Doc # <u>62</u>). Service of notice of the entry of this order pursuant to Rule 9022 was made on the appropriate parties. See BNC Certificate of Notice. Signed on 10/23/2020. (jf) (Entered: 10/23/2020)
10/25/2020	<u>65</u> (4 pgs)	BNC Certificate of Notice - Order No. of Notices: 2. Notice Date 10/25/2020. (Admin.) (Entered: 10/26/2020)

PACER Service Center			
Transaction Receipt			
10/26/2020 15:30:02			
PACER Login:		Client Code:	
Description:	Docket Report	Search Criteria:	19-11380-VFP Fil or Ent: filed Doc From: 0 Doc To: 99999999 Term: included Headers: included Format: html Page counts for documents: included
Billable Pages:	7	Cost:	0.70